



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Criminal Justice Information Services

200 ARLINGTON STREET, SUITE 2200
CHELSEA, MASSACHUSETTS 02150
WWW.MASS.GOV/CHSB

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary of
Public Safety and Security

James F. Slater, III
Acting Commissioner

Executive Office of Public Safety and Security
Firearms Records Bureau

Advisory to Massachusetts Licensed Firearms Dealers

Massachusetts Assault Weapon Ban

The purpose of this advisory is to remind licensed firearms dealers of their obligations under the Massachusetts assault weapon ban.

G.L. c. 140, § 131M, prohibits the possession of assault weapons and large capacity feeding devices by individuals in the Commonwealth. Assault weapons, as defined under G.L. c. 140, § 121, include military-type weapons and weapons that have certain characteristics as outlined in 18 U.S.C. § 921(a)(3) as that section appeared on September 13, 1994. A weapon or large capacity feeding device defined in G.L. c. 140, § 121, or a weapon having the characteristics outlined in 18 U.S.C. § 921(a)(3), may not be possessed, sold or transferred in the Commonwealth if the weapon was not lawfully possessed under a Massachusetts firearms license on September 13, 1994.

Furthermore, pursuant to G.L. c. 140, § 123, clause 16, licensed firearms dealers in the Commonwealth are prohibited from selling or transferring assault weapons and large capacity feeding devices to any person in the Commonwealth.

The assault weapon ban does not prohibit the "possession by a law enforcement officer *for purposes of law enforcement*" (emphasis added). This exception allows police officers to possess assault weapons and large capacity feeding devices while in performance of their official duties. This exception does not allow police officers to possess an assault weapon or large capacity feeding devices for their own personal use, or for both on-duty and off-duty use.

There is no exception allowing the *sale or transfer* of an assault weapon or large capacity feeding device to any person, including police officers. A police officer may not purchase an assault weapon or large capacity feeding device by presenting police identification or an agency letter or by signing a form or waiver supplied by a dealer or by any other means.

